

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

IN RE:

STANLEY M. FERENC
DYNAH N. DUNCAN-WHITE
FKA DYNAH N. SUFALKO,

Case No. 19-40109-PJS
Honorable PHILLIP J. SHEFFERLY
Chapter 13

Debtors.

2640 Raymond Drive
Dearborn, MI 48124
XXX-XX-6692
XXX-XX-1092

/

**WAYNE COUNTY TREASURER'S OBJECTIONS TO CONFIRMATION
OF PROPOSED CHAPTER 13 PLAN**

NOW COMES Creditor, Wayne County Treasurer, by and through its attorneys, KILPATRICK & ASSOCIATES, P.C., and hereby objects to the proposed Chapter 13 Plan, and states as follows:

1. That Creditor, Wayne County Treasurer's Office, is the tax collecting governmental unit for Wayne County. As such, it is the Treasurer's duty to collect property taxes for the county and various cities within the county, which accrue on both real and personal property.

2. The Debtors are indebted to the Wayne County Treasurer in the amount of Four Thousand Four Hundred Ninety Nine and 41/100 Dollars (\$4,499.41) as a result of the Debtors' failure to pay real estate property taxes for the years of 2015 and 2017 on the premises located at 2640 Raymond Drive, Dearborn, Michigan, which is the Debtors' principal residence.

3. The proposed Plan does not provide for treatment of the secured claims held by the Wayne County Treasurer in contravention of 11 U.S.C. §1322.
19-40109-pjs Doc 16 Filed 01/17/19 Entered 01/17/19 09:52:15 Page 1 of 2

4. The proposed Plan fails to provide for interest on the Treasurer's secured claims, or retention of the Treasurer's liens in contravention of 11 U.S.C. § 506(b), 11 U.S.C. § 1325(a)(5), 11 U.S.C. § 511, and M.C.L. 211.59.

5. To render the Plan confirmable, the Debtors are required to provide for full repayment of the Treasurer's secured claims with statutory interest and retention of the Treasurer's lien pursuant to 11 U.S.C. § 1322, 11 U.S.C. § 1325(a)(5), 11 U.S.C. § 506(b), 11 U.S.C. § 511, and M.C.L. 211.59.

6. The inclusion of the correct treatment for the secured claims held by the Treasurer may impact feasibility. Feasibility is required under 11 U.S.C. §1325(a)(6).

WHEREFORE, Creditor prays this Honorable Court deny confirmation of the proposed Chapter 13 Plan, and alternatively, dismiss this matter or convert this matter to a Chapter 7 proceeding.

Respectfully submitted,

KILPATRICK & ASSOCIATES, P.C.
Attorney for the Wayne County Treasurer

By: /S/RICHARDO I. KILPATRICK

RICHARDO I. KILPATRICK (P35275)
615 Griswold, Suite 1305
Detroit, MI 48226
(248) 377-0700
ecf@kaalaw.com

Dated: January 17, 2019